

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the application:

1. (Currently Amended) A multi-layer barrier against wood pests comprising:
at least one continuous pesticide-releasing layer comprising a polymeric matrix, the pesticide-releasing layer containing a wood-boring pesticidally effective amount of at least one pesticide bound within the polymeric matrix; and
at least one pesticide-retaining layer positioned parallel to the pesticide-releasing layer, the pesticide-retaining layer releasing only minute amounts of the pesticide therethrough such that substantially no pesticide is released from the barrier, the release from the barrier at a rate which is less than $0.4 \mu\text{g}/\text{cm}^2/\text{day}$, the wood pests being prevented from breaching the barrier.
2. (Previously Presented) The multi-layer barrier of claim 1, wherein the pesticide-retaining layer comprises a coextruded multi-layered barrier film.

Claim 3 (Cancelled)

4. (Previously Presented) The multi-layer barrier of claim 1, wherein the at least one pesticide-retaining layer is made from a polymeric material, the polymeric material allowing substantially no release of the pesticide from the barrier.
5. (Original) The multi-layer barrier of claim 1, wherein the pesticide-releasing layer comprises:
a polymeric matrix; and
a pesticide in the matrix.

Claim 6-7 (Cancelled)

8. (Original) The multi-layer barrier of claim 5, wherein the pesticide is lambda cyhalothrin.

9. (Original) The multi-layer barrier of claim 5, wherein the polymeric matrix is made from low density polyethylene.

Claims 10-11 (Cancelled)

12. (Previously Presented) The multi-layer barrier of claim 1 further comprising at least one strength and resistance layer for providing strength and puncture resistance to the barrier.

13. (Original) The multi-layer barrier of claim 12, wherein the strength and resistance layer is made of a polymeric scrim.

Claim 14 (Cancelled)

15. (Original) The multi-layer barrier of claim 1, wherein the pesticide is effective against termites, wood-boring ants, and wood-boring insects.

16. (Original) The multi-layer barrier of claim 1, wherein the barrier is shaped to surround an area or a structure.

Claim 17 (Cancelled)

18. (Original) The multi-layer barrier of claim 5, wherein the matrix comprises a polymer and further comprises a carrier to adjust the release rate of the pesticide from the matrix.

19. (Withdrawn) A method of making a premix for an active layer of barrier film for use in preventing a wood-boring pest from accessing an area or a wood-containing structure, the method comprising the steps of:

- (a) mixing carbon black with particles of a polymer to form a mixture; and
- (b) adding one or more pesticides in a liquid form to the mixture to form a friable premix.

Claims 20-25 (Cancelled)

26. (Previously Presented) The barrier of claim 2, wherein the coextruded multi-layered barrier film consists of low density polyethylene, vinylidene chloride/vinyl chloride copolymer, ethylene/vinyl acetate copolymer, and silicon dioxide.

Claims 27-33 (Cancelled)

34. (Previously Presented) The barrier of claim 5, wherein the pesticide is present in an amount such that its supply is not exhausted before approximately 10 years.

35. (Previously Presented) The barrier of claim 5, wherein the pesticide is present in an amount of at least 5% by weight.

36. (Previously Presented) The barrier of claim 5, wherein the pesticide is present in an amount of at least 10% by weight.

Claims 37-38 (Cancelled)

39. (Previously Presented) The barrier of claim 5, wherein the pesticide is a low volatility pesticide.

Claims 40-42 (Cancelled)

43. (Previously Presented) The barrier of claim 18, wherein the pesticide is combined with the carrier to form a bound friable mix and the bound friable mix is added to the polymeric matrix, the carrier comprising carbon black.

44. (Previously Presented) The barrier of claim 5, wherein the pesticide is mixed with at least one fungicide.

Claims 45-76 (Cancelled)

77. (New) A multi-layer barrier against wood pests comprising:

at least one continuous pesticide-releasing layer comprising a polymeric matrix, the pesticide-releasing layer containing a wood-boring pesticidally effective amount of at least one pesticide bound within the polymeric matrix; and

at least one pesticide-retaining layer positioned parallel to the pesticide-releasing layer, the pesticide-retaining layer releasing only minute amounts of the pesticide therethrough such that substantially no pesticide is released from the barrier, the release from the barrier at a rate which is less than $0.4 \mu\text{g}/\text{cm}^2/\text{day}$, the wood pests being prevented from breaching the barrier,

wherein the matrix further comprises a carbon black carrier to adjust the release rate of the pesticide from the matrix.

78. (New) The multi-layer barrier of claim 77, wherein the pesticide-retaining layer comprises a coextruded multi-layered barrier film.

79. (New) The multi-layer barrier of claim 77, wherein the at least one pesticide-retaining layer is made from a polymeric material, the polymeric material allowing substantially no release of the pesticide from the barrier.

80. (New) The multi-layer barrier of claim 77, wherein the pesticide-releasing layer comprises:

a polymeric matrix; and

a pesticide in the matrix.

81. (New) The multi-layer barrier of claim 80, wherein the pesticide is lambda cyhalothrin.

82. (New) The multi-layer barrier of claim 80, wherein the polymeric matrix is made from low density polyethylene.

83. (New) The multi-layer barrier of claim 77 further comprising at least one strength and resistance layer for providing strength and puncture resistance to the barrier.

84. (New) The multi-layer barrier of claim 83, wherein the strength and resistance layer is made of a polymeric scrim.

85. (New) The multi-layer barrier of claim 77, wherein the pesticide is effective against termites, wood-boring ants, and wood-boring insects.

86. (New) The multi-layer barrier of claim 77, wherein the barrier is shaped to surround an area or a structure.

87. (New) The barrier of claim 78, wherein the coextruded multi-layered barrier film consists of low density polyethylene, vinylidene chloride/vinyl chloride copolymer, ethylene/vinyl acetate copolymer, and silicon dioxide.

88. (New) The barrier of claim 80, wherein the pesticide is present in an amount such that its supply is not exhausted before approximately 10 years.

89. (New) The barrier of claim 80, wherein the pesticide is present in an amount of at least 5% by weight.

90. (New) The barrier of claim 80, wherein the pesticide is present in an amount of at least 10% by weight.

91. (New) The barrier of claim 80, wherein the pesticide is a low volatility pesticide.

92. (New) The barrier of claim 77, wherein the pesticide is combined with the carrier to form a bound friable mix and the bound friable mix is added to the polymeric matrix.

93. (New) The barrier of claim 80, wherein the pesticide is mixed with at least one fungicide.

94. (New) A multi-layer barrier against wood pests comprising:

at least one continuous pesticide-releasing layer comprising a polymeric matrix, the pesticide-releasing layer containing a wood-boring pesticidally effective amount of at least one pesticide bound within the polymeric matrix; and

at least one pesticide-retaining layer positioned parallel to the pesticide-releasing layer, the pesticide-retaining layer releasing only minute amounts of the pesticide therethrough such that substantially no pesticide is released from the barrier, the wood pests being prevented from breaching the barrier.

95. (New) The multi-layer barrier of claim 94, wherein the pesticide-retaining layer comprises a coextruded multi-layered barrier film.

96. (New) The multi-layer barrier of claim 94, wherein the at least one pesticide-retaining layer is made from a polymeric material, the polymeric material allowing substantially no release of the pesticide from the barrier.

97. (New) The multi-layer barrier of claim 94, wherein the pesticide-releasing layer comprises:

- a polymeric matrix; and
- a pesticide in the matrix.

98. (New) The multi-layer barrier of claim 97, wherein the pesticide is selected from pyrethroids, isofenphos, fenvalerate, pyrethrin, and combinations thereof.

99. (New) The multi-layer barrier of claim 97, wherein the pesticide is selected from tefluthrin, permethrin, lambda cyhalothrin, deltamethrin, cypermethrin, cyfluthrin, and combinations thereof.

100. (New) The multi-layer barrier of claim 97, wherein the pesticide is lambda cyhalothrin.

101. (New) The multi-layer barrier of claim 97, wherein the polymeric matrix is made from low density polyethylene.

102. (New) The multi-layer barrier of claim 94 further comprising at least one strength and resistance layer for providing strength and puncture resistance to the barrier.

103. (New) The multi-layer barrier of claim 102, wherein the strength and resistance layer is made of a polymeric scrim.

104. (New) The multi-layer barrier of claim 94, wherein the pesticide is effective against termites, wood-boring ants, and wood-boring insects.

105. (New) The multi-layer barrier of claim 94, wherein the barrier is shaped to surround an area or a structure.

106. (New) The multi-layer barrier of claim 97, wherein the matrix comprises a polymer and further comprises a carrier to adjust the release rate of the pesticide from the matrix.

107. (New) The barrier of claim 95, wherein the coextruded multi-layered barrier film consists of low density polyethylene, vinylidene chloride/vinyl chloride copolymer, ethylene/vinyl acetate copolymer, and silicon dioxide.

108. (New) The barrier of claim 97, wherein the pesticide is present in an amount of at least 5% by weight.

109. (New) The barrier of claim 97, wherein the pesticide is present in an amount of at least 10% by weight.

110. (New) The barrier of claim 97, wherein the pesticide is a low volatility pesticide.

111. (New) The barrier of claim 106, wherein the pesticide is combined with the carrier to form a bound friable mix and the bound friable mix is added to the polymeric matrix, the carrier comprising carbon black.

112. (New) The barrier of claim 97, wherein the pesticide is mixed with at least one fungicide.

113. (New) A multi-layer barrier against wood pests comprising:

at least one continuous pesticide-releasing layer comprising a polymeric matrix, the pesticide-releasing layer containing a wood-boring pesticidally effective amount of at least one pesticide bound within the polymeric matrix; and

at least one pesticide-retaining layer positioned parallel to the pesticide-releasing layer, the pesticide-retaining layer releasing only minute amounts of the pesticide therethrough such that substantially no pesticide is released from the barrier, the wood pests being prevented from breaching the barrier,

wherein the matrix further comprises a carbon black carrier to adjust the release rate of the pesticide from the matrix.

114. (New) The multi-layer barrier of claim 113, wherein the pesticide-retaining layer comprises a coextruded multi-layered barrier film.

115. (New) The multi-layer barrier of claim 113, wherein the at least one pesticide-retaining layer is made from a polymeric material, the polymeric material allowing substantially no release of the pesticide from the barrier.

116. (New) The multi-layer barrier of claim 113, wherein the pesticide-releasing layer comprises:

a polymeric matrix; and
a pesticide in the matrix.

117. (New) The multi-layer barrier of claim 116, wherein the pesticide is selected from pyrethroids, isofenphos, fenvalerate, pyrethrin, and combinations thereof.

118. (New) The multi-layer barrier of claim 116, wherein the pesticide is selected from tefluthrin, permethrin, lambda cyhalothrin, deltamethrin, cypermethrin, cyfluthrin, and combinations thereof.

119. (New) The multi-layer barrier of claim 116, wherein the pesticide is lambda cyhalothrin.
120. (New) The multi-layer barrier of claim 116, wherein the polymeric matrix is made from low density polyethylene.
121. (New) The multi-layer barrier of claim 115 further comprising at least one strength and resistance layer for providing strength and puncture resistance to the barrier.
122. (New) The multi-layer barrier of claim 121, wherein the strength and resistance layer is made of a polymeric scrim.
123. (New) The multi-layer barrier of claim 113, wherein the pesticide is effective against termites, wood-boring ants, and wood-boring insects.
124. (New) The multi-layer barrier of claim 113, wherein the barrier is shaped to surround an area or a structure.
125. (New) The barrier of claim 114, wherein the coextruded multi-layered barrier film consists of low density polyethylene, vinylidene chloride/vinyl chloride copolymer, ethylene/vinyl acetate copolymer, and silicon dioxide.
126. (New) The barrier of claim 116, wherein the pesticide is present in an amount of at least 5% by weight.
127. (New) The barrier of claim 116, wherein the pesticide is present in an amount of at least 10% by weight.
128. (New) The barrier of claim 116, wherein the pesticide is a low volatility pesticide.
129. (New) The barrier of claim 125, wherein the pesticide is combined with the carrier to form a bound friable mix and the bound friable mix is added to the polymeric matrix.

130. (New) The barrier of claim 116, wherein the pesticide is mixed with at least one fungicide.

131. (New) A multi-layer barrier film for use in preventing a wood-boring pest from accessing an area or a wood-containing structure, the barrier film comprising:

- a first layer comprising a protective resin;
- a second layer comprising a pesticide-retaining material which substantially prevents the pesticide from passing therethrough;
- a third layer comprising the protective resin;
- a fourth layer comprising a strength and puncture resistant film;
- a fifth layer comprising a bonding polymer;
- a sixth layer comprising a polymeric matrix containing carbon black and one or more pesticides;
- a seventh layer comprising the pesticide-retaining material; and
- an eighth layer made of the protective resin wherein the rate of release of the pesticide from the sixth layer into the other layers is higher than the rate of release of the pesticide from the barrier film and wherein there is substantially no release of the pesticide from the barrier film itself.